

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA §  
§  
V. § CRIMINAL NO.: 7:20cr01791  
§  
REID ETHERIDGE §

**SUPPLEMENTAL BRIEFING FOR REID ETHERIDGE  
TO BE DECLARED INDIGENT**

***I. BACKGROUND***

Reid Etheridge has filed a Motion of Defendant to be Declared Indigent for Costs on 10/19/2021.

Reid Etheridge is arrested on 10/5/2020.

Reid Etheridge's mom, Sharon Etheridge, hired Osvaldo J. Morales III on 10/13/2020.

***II. ANALYSIS***

In his motion, Reid Etheridge seeks financial assistance under the Criminal Justice Act, 18 U.S.C. § 3006A, to cover necessary costs including, but not limited to, expenses associated with fire a forensic psychological expert assistance.

Section (e) of the Criminal Justice Act provides: "Counsel for a person who is financially unable to obtain investigative, expert, or other services necessary for adequate representation may request them in an ex parte application." 18 U.S.C. § 3006A(e)(1).

Under the Act, the Court is required to authorize funds when a defense attorney, whether privately retained or CJA-appointed, "makes a reasonable request in circumstances in which he would independently engage such services [if his client was able to pay for them]." *United States v. Salameh*, 152 F.3d 88, 118 (2nd Cir. 1998) (citing *United States v. Durant*, 545 F.2d 823, 827 (2nd Cir. 1976)). The Court is "obligated to exercise discretion in determining whether such services are necessary." *Id.* (citing *United States v. Oliver*, 626 F.2d 254, 260 (2nd Cir. 1980)).

Without counsel cannot know whether a person with the Defendant's psychological characteristics which pertain to the offense with which he is charged, the two counts of Production of Child Pornography in violation of 18 U.S.C. §2251(a), one count of Coercion and Enticement of a Minor in violation of 18 U.S.C. § 2422(b) and one count of Receipt of Child Pornography, in violation of 18 U.S.C. §2252A(a)(2)(A), 2252A(b)(1), and 2256 can be differentiated from other types of direct contact sexually related offenses.

***III. CONCLUSION***

Accordingly, Defendant's Motion to be Declared Indigent for Costs needs to be Granted. The defendant has not to pay the psychological. The defendant has no money. The Defendant would assert that when an indigent accused makes a clear showing to the trial judge that the psychological characteristics of the accused and/or the identifiable characteristics of the charged offense will be a significant factor at a entices; stage of sentencing, the Court has a clear duty upon request to appoint a psychological expert to assist the Defendant in this cause.

Respectfully submitted,

/s/ Osvaldo J. Morales, III  
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**CERTIFICATE OF SERVICE**

I hereby certify that on Friday, November 12, 2021 a copy of the foregoing motion for Continuance was delivered to the A.U.S.A. located in McAllen, Texas.

/s/ Osvaldo J. Morales, III  
Osvaldo J. Morales, III